



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

ORIGINAL



SDMS DocID 2194629

VIA E-MAIL/FEDERAL EXPRESS

APR 07 1999

Mark Stevens, Esquire  
Langsam, Stevens, & Morris  
1616 Walnut Street, Suite 812  
Philadelphia, PA 19103

**RE: Malvern TCE Superfund Site ("Site")**

Dear Mr. Stevens:

Enclosed please find the following final documents relating to the above-captioned Site: 1) a Consent Decree for Remedial Design/Remedial Action; and 2) an Administrative Order on Consent for Remedial Design, EPA Docket No. III-99-018-DC. EPA views these documents as final documents, not subject to further negotiation. We have endeavored to address all the comments you and the group have made during negotiations, and to include language in the decree that addresses your concerns and comments. We believe that the language in the enclosed document will satisfy your concerns, and is the appropriate way to handle some of the unique features of this settlement. We trust that you will find that the language of the document is appropriate and responsive to your concerns.

EPA is anxious to have the needed remedial work at this Site begin as soon as possible, in order to protect public health. We therefore do not see the need for further negotiations. In some instances, docket numbers and addresses need to be added to the enclosed Decree, but that is the only change we are prepared to make.

We appreciate your forwarding of the enclosed materials to each member (and/or the member's designated representative) of the Chemclene Site Defense Group identified in Attachment "A." It is my understanding that each of the Group members identified in Attachment "A" has authorized you to forward these materials to them and/or their designated representatives. If this is not the case, please advise me immediately.

Each Group member should review the enclosed Consent Decree and Administrative Order and return to my attention executed signature pages to these documents **no later than April 28, 1999**. Once I have received all of the signature pages, I will forward the documents to upper management at the United States Environmental Protection Agency, the United States Department of Justice, and the Commonwealth of Pennsylvania for final review and approval.

Thank you for your prompt attention to this matter. We appreciate your work in bringing this matter to a close. Since Joan A. Johnson is on temporary leave at this time, please call me at (215) 814-2696 if you have any questions, and please forward any correspondence to my attention.

Sincerely,

A handwritten signature in cursive script, reading "Heather Gray Torres".

Heather Gray Torres  
Associate Regional Counsel

enclosures

cc: Parties identified in Attachment "A"  
Robert LeFevre, Esquire (DOJ)  
Margaret Murphy, Esquire (PADEP)

**ATTACHMENT "A"**

Action Manufacturing Company  
Aluminum Company of America (ALCOA)  
Armstrong World Industries, Inc. (Armstrong Cork Company)  
Aydin Corporation  
Bailey Fischer & Porter Company (Fisher & Porter Co./Andrews Glass Company, Inc.)  
Barker Pipe Fittings Co. (Penflex, Inc.)  
Beckett Corporation  
Bulova Technologies LLC (Hamilton Technology, Inc.)  
Cabot Corporation (Cabot Grouping/Cabot Wrought Products)  
Cyprus Amax Minerals Company (Cyprus Foote Mineral Co.)  
Delbar Products, Inc.  
General Electric Company (RCA Corporation)  
General Motors Corporation  
Hamilton Precision Metals  
Hamilton Watch Company  
Handy & Harman Tube Company  
KIM Manufacturing Company  
LaFrance Corp.  
Lucent Technologies Inc. (Western Electric)  
Moore Products Co.  
NW Controls, Inc.  
Plymouth Tube Company  
PP&L Inc. (PP&L Northern Div. S.C.)  
Porter Instrument Co., Inc.  
Reilly Plating Co., Inc.  
Syntex (U.S.A.), Inc. (Syntex Grouping/A.S. Koch)  
The Times Mirror Company (Morning Call, Inc.)  
Unisys Corporation (Burroughs Corporation/Sperry Corporation)  
USG Corporation (USG Grouping)  
Vishay Intertechnology, Inc. (Vishay Resistive Systems, Inc.)  
VIZ Manufacturing Company

① Fund \$ - Regional Fund

Special Act to reimburse ourselves

② Pay O.S. take

→ We don't "Reimburse" we disburse  
Future costs.

Reimburse past costs

5 mil  
^  
Response work

Receivable $\approx$ 3.8 M	- contractor
Past-Costs $\approx$ 2.8 mil	- STATE
	- PRPs
	- demin

- all recoverable on  
§ 107

Interim  $\approx$  \$300k

Special Act \$ expenditures are  
just like Trust Fund Expend